

SPENCER, Chris

10/718,448

II. Remarks Concerning the Abstract Amendments

Applicant has amended the Abstract so as to remove form and legal phraseology, and to add a point of description. No new matter has been added.

III. Remarks Concerning the Claim Amendments

Applicants thank the Examiner for the careful and thorough examination of the present application and for the courtesy extended during their telephonic inquiries. By this submission all three independent claims (1, 14, and 20) and a number of the dependent claims (2, 3, and 4) are amended to more precisely point out the subject matter that the applicant claims as the invention. No new matter has been added. The lifting arm having a center axis along which it travels is understood by those skilled in the field and is disclosed in the figures and in the explanation of the basic operation of the jacking mechanism at page 5, lines 9 through 12. Also, by this amendment, Claims 12 and 13 are canceled. Claims 1-11 and 14-20 remain pending in the application. After careful review of applicant's amendments and arguments, favorable reconsideration is respectfully requested.

IV. Response to Examiner's Section 102 Rejections

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP § 2131. As amended, Claims 1, 14 and 20 specify a device having elements not found in the prior art. The Pietrusynski patent (6,416,039) discloses a device in which the lifting arm and the prop cannot move along the center axis of the lifting arm. The Voss patent (3,567,183) discloses a device in which the pin receptacle is contained within the lifting arm, as opposed to being adjacent thereto. Additionally, the

SPENCER, Chris

10/718,448

lifting arm and prop attach adjacent to the jack housing, as opposed to attaching to the end of the lifting arm and prop distal to the housing.

Elements of the pending independent claims are not found in the prior art, nor do the disclosures provide motivation to modify the disclosed inventions in the manner of the current invention. Independent Claims 1, 14, and 20 should now be suitable for allowance. Since all the dependent claims contain all the limitations of their respective dependent claims, these dependent claims should now also be suitable for allowance.

V. Conclusion

As amended the Abstract is in an appropriate form.

As amended all pending independent claims possess elements not found in the prior art.

Dependent upon claims that now should be suitable for allowance, all of the remaining claims should also be suitable for allowance.

The applicants respectfully request reconsideration of the rejection of these claims.

Respectfully submitted,



Craig E. Bohn
Registration No. 52,629

December 20, 2004
Law Office of Craig Bohn
(The BohnStructure Law Firm)
2134 Branard Street
Houston, Texas 77098
(713) 874-0607
(713) 874-0591 Fax